

Attorney Docket No.: **PENN-0798**
Inventors: **Clevenger and Ryczyn**
Serial No.: **10/049,562**
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REMARKS

Claims 1-10 are pending in this application. No new matter has been added. Applicants are respectfully requesting reconsideration of the restriction requirement in view of the following remarks.

The claims of the present application have been subjected to a Restriction Requirement under 35 U.S.C. §121 and 372 as follows:

Group I, claims 1, 3 and 4, drawn to a composition for modulating a somatolactogenic function comprising cyclophilin B and a method for modulating somatolactogenic function comprising administering cyclophilin B;

Group II, claims 1-3, 5 and 6, drawn to a composition for modulating a somatolactogenic function comprising a mutant of cyclophilin B and a method for modulating somatolactogenic function comprising administering a mutant cyclophilin B;

Group III, claims 1, 3 and 5, drawn to a composition for modulating a somatolactogenic function comprising an inhibitor of the interaction of cyclophilin B with a somatolactogenic hormone and a method for modulating somatolactogenic function comprising administering the inhibitor;

Group IV, claims 7 and 8, drawn to a method for identifying test compounds as inhibitors of somatolactogenic functions comprising assessing the ability of a test compound to inhibit the interaction of cyclophilin B with a somatolactogenic hormone; and

Group V, claims 9 and 10, drawn to a method for diagnosing diseases associated with abnormal somatolactogenic functions comprising obtaining a biological sample, and comparing

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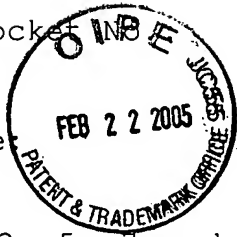
cyclophilin B levels in the patient with cyclophilin B levels of a normal individual.

The Examiner suggests that the inventions listed as Groups I-V are independent and distinct from each other as they are not so linked as to form a single general inventive concept under PCT Rule 13.1. Applicants are required to elect one of the Groups to be examined. Applicants respectfully disagree and traverses this restriction requirement.

Rule 13.2 indicates that where a group of inventions is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

Claims set forth in Groups III and IV are drawn to the identification and use of an inhibitor of the interaction of cyclophilin B with a somatolactogenic hormone. Therefore, a search of the relevant prior art pertaining to this common technical feature, namely an inhibitor of the interaction of cyclophilin B with a somatolactogenic hormone, would reveal art related to how the inhibitor was identified and how it can be used. Therefore, no additional burden would be incurred by the Examiner in searching and examining together claims of Groups III and IV. In contrast, the prosecution of each of these inventions separately will pose a substantial economic burden on Applicants. It is therefore respectfully requested that the restriction of

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claims 1, 3, 5, 7 and 8 into Groups III and IV be reconsidered and withdrawn.

However, in an earnest effort to be completely responsive, Applicants hereby elect to prosecute Group IV, claims 7 and 8, drawn to a method for identifying test compounds as inhibitors of somatolactogenic functions comprising assessing the ability of a test compound to inhibit the interaction of cyclophilin B with a somatolactogenic hormone, with traverse.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Jane Massey Licata'.

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